REMARKS

Please note that the claims pending at the time of this filing are the claims of the international application serial no. PCT/GB99/04141 as amended during the International Preliminary Examination on December 20, 2000, according to PCT Article 34(2)(b).

The pending claims have been amended above to better conform to United States practice. The marked-up version of the changes to the specification and claims are attached hereto at pages 5-8, and are captioned "**MARKED UP COPY OF AMENDMENTS TO THE SPECIFICATION**" and "**MARKED UP COPY OF AMENDMENTS TO THE CLAIMS**," respectively.

It is submitted that this application is now in condition for substantive examination, which action is respectfully requested.

Respectfully submitted,

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Date of Signature: June 15, 2001

MARKED UP COPY OF AMENDMENTS TO THE SPECIFICATION

On page one of the application, after the Title of the Invention, please insert the following:

- - **Related Application Information**

This application claims priority under 35 U.S.C. § 371 from PCT Application No. PCT/GB99/04141 (published under PCT Article 21(2) in English), filed on December 14, 1999, which claims the benefit of Great Britain Application Serial No. 9827480.6, filed on December 15, 1998, the disclosures of which are incorporated by reference herein in their entireties. - -

MARKED UP COPY OF AMENDMENTS TO THE CLAIMS

1 (Amended). A method of increasing the capacity for secretory protein synthesis in **a plant, [general (i.e. not restricted to PR genes), the method]** comprising causing a plant to maintain in at least a part of the plant a level of **lumenal binding protein (BiP) [BiP]**, or a homologue thereof, **wherein said level of BiP or homologue thereof [which]** is greater than the endogenous level **of BiP or homologue thereof** for said plant in non-stressful conditions.

2 (Amended). A method according to claim 1**, whereby [of reducing]** the period **of time** within which the plant's natural **[defence] defense** mechanism responds to attack by a plant pathogen **is reduced**.

3 (Amended). A method according to **[either]** claim 1 **[or 2]** wherein the **[maintained]** level of BiP, or a homologue thereof, is at least three times said endogenous level **of BiP or homologue thereof**.

4 (Amended). A method according to claim 3 wherein said **[maintained]** level **of BiP or homologue thereof** is at least five times said endogenous level **of BiP or homologue thereof**.

5 (Amended). A method according to **claim 1 [any preceding claim]** wherein said **[maintained]** level **of BiP or homologue thereof** is effected by **overexpressing [over expression of]** BiP, or a homologue thereof, by means of a chimeric gene containing a strong constitutive promoter, a coding region for BiP or a homologue thereof and a 3' untranslated end containing a stop sequence.

6 (Amended). A method according to **[any of claims 1 to 4] claim 1** wherein said **[maintained]** level **of BiP or homologue thereof** is effected by **overexpressing [over expression of]** calreticulin, or a homologue thereof, by means of a chimeric gene containing a strong constitutive promoter, a coding region for calreticulin or a homologue thereof and a 3' untranslated end containing a stop sequence.

7 (Amended). A method according to **[any of claims 1 to 4]** **claim 1** wherein said **[maintain d]** level **of BiP or homologue thereof** is effected by **overexpressing** **[over expression of]** **(1)** the ATPase domain of BiP, or a homologue thereof, and **(2)** an **endoplasmic reticulum (ER)** **[ER]** retention signal by means of a chimeric gene containing a strong constitutive promoter, a coding region for the ATPase domain of BiP, or a homologue thereof, **[and]** **a coding region** for an ER retention signal and a 3' untranslated end containing a stop sequence.

8 (Amended). A method according to **[any of claims 1 to 4]** **claim 1** wherein said **[maintained]** level **of BiP or homologue thereof** is effected by modifying **at least one** signal transduction **pathway** **[pathways]** leading to BiP induction.

9 (Amended). A method according to **Claim 1** **[any of the preceding claims wherein the plant is additionally treated]** **further comprising treating the plant** with salicylic acid.

11(Amended). A modified plant according to claim 10 wherein the **[BiP]** level **of BiP, or a homologue thereof,** is at least five times greater than the level maintained by an unmodified plant of the same species in non-stressful conditions.

DELETED [12. Use of salicylic acid in combination with over expression of BiP or a homologue thereof to protect a plant against pathogen attack.**]**

DELETED [13. A modified plant or plant cells with a level of BiP, or a homologue thereof, which is at least three times greater than the endogenous level of the plant or plant cells in non-stressful conditions, produced by the method of the present invention.**]**

14 (Amended). A modified plant or plant cells according to claim **[13]** **15** wherein the **[BiP]** level **of BiP or a homologue thereof** is at least five times greater than the endogenous level **of BiP or a homologue thereof** of the plant or plant cells in non-stressful conditions.

NEW CLAIMS

15. A modified plant or plant cell having a level of BiP, or a homologue thereof, which is at least three times greater than the endogenous level of the plant or plant cells, whereby said modified plant or plant cell is produced by the method of Claim 1.

16. A method of protecting a plant against pathogen attack by overexpressing BiP or a homologue thereof in combination with administering salicylic acid to said plant in an amount to protect the plant against said pathogen attack.